



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/598,538	06/21/00	SHONK C	60,314-098

┌  
CARLSON, GASKEY & OLDS  
400 W. MAPLE RD.  
STE. 350  
BIRMINGHAM MI 48009

PM82/0705

┐  
EXAMINER

TRAN, D

ART UNIT PAPER NUMBER

3661

DATE MAILED: 07/05/01 4

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

09/598,538 06/21/00 SHONK

C 60,314-098

EXAMINER

PM82/0705

CARLSON, GASKEY & OLDS  
400 W. MAPLE RD.  
STE. 350  
BIRMINGHAM MI 48009

TRAN, D

ART UNIT	PAPER
----------	-------

3661 4

DATE MAILED: 07/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

  
TAN NGUYEN  
PRIMARY EXAMINER

<b>Office Action Summary</b>	<b>Application No.</b> 09/598,538	<b>Applicant(s)</b> SHONK, CARL W.	
	<b>Examiner</b> DALENA TRAN	<b>Art Unit</b> 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2000.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- |   |  |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 20) <input type="checkbox"/> Other:  |

Art Unit: 3661

## **DETAILED ACTION**

### **Notice to Applicant(s)**

1. This application has been examined. Claims 1-22 are pending.
2. The prior art submitted on 6-21-00 has been considered.
3. Claim 15 claims "the method of claim 12", this independent is not correct since claim 12 is an apparatus claim, it is not a method claim. Claims 16 and 21 is the same problem. Correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,14 and 19, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Vleek et al. (5,493,694) in view of Hummelsheim (6,192,312).

As per claims 1 and 14, Vleek et al. disclose a method for transmitting the location of a vehicle to a location remote from the vehicle, comprising: determining a location of the vehicle to a road network (see columns 3-4, lines 63-65), communicating the location of the vehicle to the remote location at a specific frequency (see the abstract). Vleek et al. do not clearly mention a change in location of the vehicle relative to the road network. However, Hummelsheim mention a change in location of the vehicle relative to the road network and communicating the location of

Art Unit: 3661

the vehicle to the remote location based upon change in location (see the abstract; column 2, lines 13-53; column 4, lines 43-67; columns 10-11, lines 52-5; and columns 13-14, lines 10-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Vleek et al. by mention a change in location of the vehicle relative to the road network and communicating the location of the vehicle to the remote location based upon change in location to determine real time a position of the vehicle relative to geographic data in the navigation system.

As per claim 19, Vleek et al. disclose frequencies are based on a distance traveled by the vehicle (see columns 4-5, lines 66-24; and column 10, lines 12-46).

6. Claims 2,5-6,9,12-13,15 and 22, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Hummelsheim (6,192,312) in view of Cisneros et al. (5,774,829).

As per claim 9, Hummelsheim mention an apparatus for a navigation system for transmitting the location of a vehicle to a location remote from the vehicle, comprising: a position determining device (see column 6, lines 13-59), a database having a map database with a road network (see columns 6-7, lines 6013; and column 7, lines 37-60), a processor interconnected to position determining device and database (see column 4, lines 3-41), a trigger device for triggering transmission signal (see column 12, lines 12-36). Hummelsheim does not clearly mention Cisneros et al. mention a transmitter for producing a transmission signal to the remote location (see the abstract; and columns 3-4, lines 55-33). It would have been obvious to one of

Art Unit: 3661

ordinary skill in the art at the time the invention was made to modify the teach of Hummelsheim by mention a transmitter for producing a transmission signal to the remote location to establish a communication system for vehicle and remote location.

Also as per claims 5 and 6, Cisneros et al. mention communicating the location of the vehicle and the change in the location of the vehicle in different frequencies (see columns 6-8, lines 32-18; columns 9-10, lines 35-68; and columns 11-12, lines 52-23).

Claims 12 and 13 are apparatus claims corresponding to method claims 5 and 6 above. Therefore, they are reject for the same rationales set forth as above.

As per claims 2 and 15, Vleek et al. disclose the location of the vehicle is communicated with reference to the road network (see columns 5-6, lines 65-64).

As per claim 22, Hummelsheim disclose speed limits of the locations (see column 5, lines 1-17).

7. Claims 3,7-8, and 16, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Vleek et al. (5,493,694), and Hummelsheim (6,192,312) as applied to claim 1 above, and further in view of Shah et al. (5,594,650).

As per claims 7 and 8, Vleek et al., and Hummelsheim do not mention the location is the street address. However, Shah et al. mention that (see column 4, lines 24-58; columns 5-6, lines 45-2; and column 7, lines 5-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Vleek et al., and Hummelsheim by

Art Unit: 3661

mention location is the street address to specifically determines an interrelationship between different street locations or landmarks exist.

Also as per claims 3 and 16, Shah et al. mention the road network is in a map database (see the abstract; and columns 2-3, lines 55-60).

8. Claims 4 and 17, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Vleek et al. (5,493,694), Hummelsheim (6,192,312), and Shah et al. (5,594,650) as applied to claims 3 and 14 above, and further in view of Streit et al. (5,902,351).

As per claims 4 and 17, Vleek et al., Hummelsheim, and Shah et al. do not mention a map-matching. However, Streit et al. mention the location of the vehicle is determined by map-matching (see column 4, lines 28-57). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Vleek et al., Hummelsheim, and Shah et al. by mention the location of the vehicle is determined by map-matching to accurately determine the location of the vehicle in the road network.

9. Claims 18 and 21, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Vleek et al. (5,493,694), Hummelsheim (6,192,312), and Cisneros et al. (5,774,829) as applied to claims 12 and 14 above, and further in view of Khavakh et al. (6,192,314).

As per claims 18 and 21, Vleek et al., Hummelsheim, and Cisneros et al. do not mention the locations are a freeway, residential street, sparse and dense road network. However, Khavakh

Art Unit: 3661

et al. mention that (see columns 4-5, lines 31-24; and column 26, lines 33-68). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Vleek et al., Hummelsheim, and Cisneros et al. by mention a freeway, residential street, sparse and dense road network to transmit various position of vehicle to the remote location.

10. Claim 20, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Vleek et al. (5,493,694), an Hummelsheim (6,192,312) as applied to claim 14 above, and further in view of Gazis et al. (5,610,821).

As per claim 20, Gazis et al. mention the location are a high and low traffic road (see columns 6-7, lines 65-22). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Vleek et al., and Hummelsheim by mention locations are high and low traffic road to give a detailed description of vehicle location in a road network.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

. Gastouniotis et al. (5,438,329)

. Ichikawa (5,523,765)

. Olsson (5,822,712)

. Morgan et al. (6,188,939)



Art Unit: 3661

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Dalena Tran, whose telephone number is (703) 308-8223. The examiner can normally be reached on Monday-Friday from 7:00 AM-4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

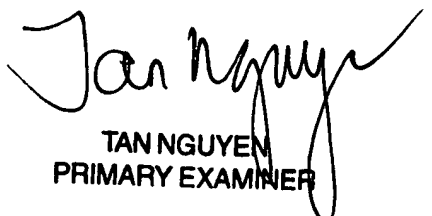
(703) 305-7687, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

/dt

June 28, 2001

  
TAN NGUYEN  
PRIMARY EXAMINER